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Atty. Docket No. SP-1785.1 US

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify that this paper, together with all enclosures identified herein, is being deposited with the United States Postal Service as first class mail, addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

06-29-04
Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Julio C. Casanova
Application No. : 10/789,858
Filing Date : February 27, 2004
Art Unit : 1745
For : MODULAR BATTERY PACKAGE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97(b)

Pursuant to 37 CFR §§1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO-1449. This Information Disclosure Statement is being filed prior to the first office action on the merits.

Copies of the listed foreign patent documents and non-patent literature are attached. As the Office has waived the requirement under 37 CFR §1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication, copies of the listed U.S. patents and U.S. patent application publication documents are not included with the submission of attached Form

PTO 1449. Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

English translations of the non-English documents are enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents does not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 05-1325.


Respectfully submitted,

JULIO C. CASANOVA

By: Eveready Battery Company, Inc.

June 29, 2004
Date

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Rev. 2-32) PATENT AND TRADEMARK OFFICE <div style="text-align: center;"> INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) </div>	ATTY. DOCKET NO. SP-1785.1	SERIAL NO. 10/789,858
<div style="float: left; width: 150px; text-align: center;">  </div>		
APPLICANT(S) Julio C. Casanova		
FILING DATE 02/27/2004		GROUP 1745

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPRO- PRIATE
		D 4 8 2 9 7 0	12/02/2003	Kumakura et al.			
		D 4 7 9 6 8 8	09/16/2003	Kumakura et al.			
		D 4 7 9 1 2 6	09/02/2003	Kumakura et al.			
		D 4 7 9 1 2 5	09/02/2003	Kumakura et al.			
		D 4 7 8 8 1 0	08/26/2003	Wilson			
		6 5 1 3 6 5 6	02/04/2003	Hanaoka et al.			
		6 4 3 9 3 9 0	08/27/2002	Kumakura et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLA- TION
							Y N
	DE	00 40 2 6 8 9 9	02/27/92	Germany			X
	WO	0 1 9 8 1 7 1	12/27/01	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER INITIAL		
		U.S. Patent Application Publication No. US 2001/0052478 entitled PACKAGE WITH ROTATION PREVENTION, Publication Date Dec. 20, 2001, Inventors Julio C. Casanova et al.

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPRO- PRIATE
		6 4 2 7 8 4 1	08/06/2002	Wani et al.			
		6 3 6 4 1 1 5	04/02/2002	Casanova et al.			
		D 4 5 1 0 1 5	11/27/2001	Otto			
		D 4 5 1 0 1 4	11/27/2001	Otto			
		D 4 5 0 2 3 9	11/13/2001	Otto			
		D 4 4 9 7 7 9	10/30/2001	Otto			
		6 2 5 3 9 2 0	07/03/2001	Källgren			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLA- TION
							Y N
	JP	20 02 34 3 3 2 1	11/29/02	Japan			X
	JP	20 03 07 2 8 3 7	03/12/03	Japan			X

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER INITIAL	
	U.S. Patent Application Publication No. US 2001/0040115 entitled BATTERY PACKAGE, Publication Date Nov. 15, 2001, Inventors Yoshiaki Wani et al.

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		D 4 4 4 3 7 9	07/03/2001	Assargren et al.			
		6 2 0 6 1 7 2	03/27/2001	Abe			
	Des.	4 3 3 9 3 6	11/21/2000	Pirro et al.			
	Des.	4 3 3 6 2 8	11/14/2000	Tamura			
	Des.	4 3 2 9 0 9	10/31/2000	Pirro et al.			
	Des.	4 3 2 9 0 8	10/31/2000	Pirro et al.			
	Des.	4 3 2 4 1 1	10/24/2000	Pirro et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLA- TION	
							Y	N
	JP	02 00 12 53 4 7 1	09/18/01	Japan			X	
	GB	2 2 4 7 6 6 8	03/11/92	UK				

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		Des.	4	2	3	9	2	8	05/02/2000	Kumakura et al.			
		Des.	4	2	3	3	4	4	04/25/2000	Kumakura et al.			
		Des.	4	2	1	8	9	9	03/28/2000	Eneroth et al.			
			6	0	2	9	8	1	02/29/2000	Kumakura et al.			
		Des.	4	1	7	1	4	6	11/30/1999	St. Pierre et al.			
			5	9	5	7	3	5	09/28/1999	Getz et al.			
			5	8	9	9	3	3	05/04/1999	Williams et al.			

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	5 8 7 1 1 0 3	02/16/1999	Ward			
	5 8 2 3 3 5 0	10/20/1998	Ward			
	Des. 3 9 1 1 5 0	02/24/1998	Stevens			
	Des. 3 8 7 9 7 7	12/23/1997	Källgren			
	Des. 3 5 9 9 0 0	07/04/1995	Hawthorne			
	5 3 1 1 9 8 9	05/17/1994	Ward et al.			
	5 1 1 7 9 7 6	06/02/1992	Whitt et al.			

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	Des. 3 2 0 9 3 0	10/22/1991	Richards			
	5 0 5 0 7 3 9	09/24/1991	Hannan et al.			
	5 0 2 9 7 0 5	07/09/1991	Schmidt et al.			
	4 9 7 1 1 9 7	11/20/1990	Worley			
	4 9 5 8 7 3 1	09/25/1990	Calcerano			
	4 9 1 1 3 0 4	03/27/1990	Bunin			
	4 8 4 8 5 6 8	07/18/1989	Eckelman			

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		4	7	4	7	4	9	1	05/31/1988	Ward			
		4	6	9	6	4	0	2	09/29/1987	Harmon et al.			
		4	5	1	9	2	8	2	05/28/1985	Masino			
		4	3	4	0	1	4	1	07/20/1982	Fischer			
		4	2	0	0	1	8	8	04/29/1980	Webinger			
		4	1	6	6	5	3	2	09/04/1979	Tsuchida et al.			
		3	8	8	4	3	5	0	05/20/1975	Johansson			

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		3 8 8 1 6 0 1	05/06/1975	Walus et al.			
		3 8 4 0 1 1 4	10/08/1974	Sama			
		3 8 2 0 6 5 5	06/28/1974	La Tourette et al.			
		3 7 4 3 0 8 4	07/03/1973	Douglas			
		3 7 3 7 0 2 9	06/05/1973	Serrell et al.			
		3 6 5 9 7 0 6	05/02/1972	Serrell			
		3 5 2 9 7 1 8	09/22/1970	Zaremski			

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		3 5 2 3 6 0 8	08/11/1970	Miller			
		3 4 2 4 3 0 6	01/28/1969	Munck			
		3 2 8 8 2 8 0	11/29/1966	Bostrom			
		3 2 4 6 7 4 6	04/19/1966	Holley			
		3 1 2 1 4 9 2	02/18/1964	De Paul et al.			
		2 9 8 4 4 0 1	05/16/1961	Herkender			

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